

Serial No.: 09/848,046

REMARKS

Claims 7-12 are pending in the application. Claims 7, 10, 11 and 12 are amended herein. Entry of the amendment and favorable reconsideration of the application is respectfully requested in view of the following comments.

I. REJECTION OF CLAIMS 11-12 UNDER 35 USC §112, 1ST ¶

Claims 11 and 12 stand rejected under 35 USC §112, first paragraph, as failing to comply with the written description requirement. Withdrawal of the rejection is respectfully requested for at least the following reasons.

The Examiner submits that claims 11 and 12 are not supported by the specification since the non-overlap is not shown specifically for pits and other embodiments embraced by "traces". In response, claims 11 and 12 have been amended to clarify that "the first and second beam traces define a deformed portion of a track, wherein the deformed portion is non-overlapping with an adjacent *trace*."

Such feature is supported by the specification in Fig. 6A which shows adjacent groove regions having deformed portions (e.g., 406) which do not overlap with an adjacent *trace*.

Withdrawal of the rejection is respectfully requested.

II. REJECTION OF CLAIMS 7-12 UNDER 35 USC §§102(b) & 103(a)

Claims 7-9 remain rejected under 35 USC §102(b) based on *Kawase*. Claims 7-12 stand rejected under 35 USC §103(a) based on *Kawase* in view of *Van et al.* Withdrawal of the rejections is respectfully requested for at least the following reasons.

Claims 7 and 10 are amended herein to recite that "the second beam trace further comprises at least one data region in a track adjacent to the first beam trace". Support for the amendment is found, for example, at page 27, line 31 to page 28, line 26, in reference to Figs. 6B and 6C. Because of such feature, it becomes possible to easily produce an optical disk master having an improved recording density efficiency. (See, e.g., Spec., p. 8, ln. 32 to p. 9, ln. 6).

Serial No.: 09/848,046

Kawase describes clock pits formed on tracks at predetermined intervals and are formed when a laser beam is deflected radially of the disk with a small pitch in such a manner that a number of clock pits overlap each other. *Van et al.* describes a two-beam master cutting system where exposed areas 24a with a narrower width than the exposed areas 24 and 25 on the header of the master plate are formed. (See, e.g., *Van et al.*, Fig. 8 and Col. 6, ln. 45 to Col. 7, ln. 22).

Kawase does not teach or suggest that the beam used to produce the clock pits also forms a trace for the data regions during a rotation. Further, *Kawase* does not teach or suggest that the second beam trace includes a data region in a track adjacent to the first beam trace as recited in amended claims 7 and 10.

Similarly, *Van et al.* does not teach or suggest that the second beam trace includes a data region in a track adjacent to the first beam trace as recited in amended claims 7 and 10. In fact, *Van et al.* shows only an exposed region in a track corresponding to a groove.

Consequently, neither *Kawase* nor *Van et al.* teach or suggest each and every element of the claimed invention taken alone or in combination. Withdrawal of the rejections is respectfully requested.

III. CONCLUSION

Accordingly, claims 7-12 are believed to be allowable and the application is believed to be in condition for allowance. A prompt action to such end is earnestly solicited.


Should the Examiner feel that a telephone interview would be helpful to facilitate favorable prosecution of the above-identified application, the Examiner is invited to contact the undersigned at the telephone number provided below.

Serial No.: 09/848,046

Should a petition for an extension of time be necessary for the timely reply to the outstanding Office Action (or if such a petition has been made and an additional extension is necessary), petition is hereby made and the Commissioner is authorized to charge any fees (including additional claim fees) to Deposit Account No. 18-0988.

Respectfully submitted,

RENNER, OTTO, BOISSELLE & SKLAR, LLP



Mark D. Saralino

Registration No. 34,243

DATE: March 31, 2004

The Keith Building
1621 Euclid Avenue
Nineteenth Floor
Cleveland, Ohio 44115
(216) 621-1113
C:\GEN\YAMA\yamap594a.am5.wpd